

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By **CHAIRMAN TOM ZOOK**, on March 11, 1999 at 9:00 A.M., in Room 312 - 2 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Tom Zook, Chairman (R)  
Rep. Joe Quilici, Vice Chairman (D)  
Rep. Steve Vick, Vice Chairman (R)  
Rep. Beverly Barnhart (D)  
Rep. Ernest Bergsagel (R)  
Rep. Peggy Bergsagel (R)  
Rep. Rosalie (Rosie) Buzzas (D)  
Rep. John Cobb (R)  
Rep. Stan Fisher (R)  
Rep. Dick Haines (R)  
Rep. Royal Johnson (R)  
Rep. Betty Lou Kasten (R)  
Rep. Matt McCann (D)  
Rep. Red Menahan (D)  
Rep. Ray Peck (D)  
Rep. Lila Taylor (R)  
Rep. Joe Tropila (D)  
Rep. John Witt (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Joanne Gunderson, Committee Secretary  
Taryn Purdy, Legislative Fiscal Division

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed. The minutes were recorded on a Sony BI-85 machine, references are measured in inches rather than minutes.

**Committee Business Summary:**

Hearing(s) & Date Posted: HB 490, HB 608, HB 431, HB 127,  
3/9/1999  
Executive Action: HB 135, HB 13,

HEARING ON HB 127

Opening Statement by Sponsor:

Rep. Royal Johnson, HD 10, presented HB 127.

*{Tape : 1; Side : A; Approx. Time Counter : 0 - 4; Comments :  
This was a referred bill, a full hearing was not held.}*

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony:

Mary Ann Wellbank, Administrator, Child Support Enforcement  
Division, Department of Health and Human Services (DPHHS)

*{Tape : 1; Side : A; Approx. Time Counter : 4 - ~~282~~ EXHIBIT (aph55a01)  
EXHIBIT (aph55a02)  
EXHIBIT (aph55a03)}*

Questions from Committee Members and Responses:

*{Tape : 1; Side : A; Approx. Time Counter : 282 - Tape : 2; Side  
: A; Approx. Time Counter : 171; Comments : During a portion of  
this hearing, Vice Chair Vick assumed the chair.}*

Closing by Sponsor:

*{Tape : 2; Side : A; Approx. Time Counter : 171 - 245}*

HEARING ON HB 431

Opening Statement by Sponsor:

Rep. John Mercer, HD 74, presented HB 431.

*{Tape : 2; Side : A; Approx. Time Counter : 245 - 328; Comments :  
This was a referred bill and did not require a full hearing.}*

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony:

David Gates, Chief Probation Officer, Gallatin County

*{Tape : 2; Side : A; Approx. Time Counter : 328 - 341}*

Sandra Oitzinger, Executive Director, Montana Juvenile Probation  
Officers

*{Tape : 2; Side : A; Approx. Time Counter : 341 - 375}*

**Questions from Committee Members and Responses:**

*{Tape : 2; Side : A; Approx. Time Counter : 375 - Side : B;  
Approx. Time Counter : 194}* **EXHIBIT**(aph55a04)

**Closing by Sponsor:**

*{Tape : 2; Side : B; Approx. Time Counter : 194 - 204; Comments :  
Rep. Tropila discussed a proposed amendment with the sponsor  
prior to the sponsor's closing remarks.}*

**EXECUTIVE ACTION ON HB 13**

**Motion:** REP. JOHNSON moved that HB 13 DO PASS.

**Motion:** REP. VICK moved that HB 13 BE AMENDED according to amendment number 1303.atp later referred to as Exhibit 6.

**Discussion:** **EXHIBIT**(aph55a05)

**Taryn Purdy** explained an adjustment needed to the amendments 1301.atp on page 7, item 14 following "personal service contingency 350,000" insert "300,000" (for each year other fund authority for personal services contingency) after each 350,000 shown on the amendment.

*{Tape : 2; Side : B; Approx. Time Counter : 204 - 314; Rep. Vick withdrew the motion on his amendment referred to as Exhibit 6.}*

**Discussion:**

*{Tape : 2; Side : B; Approx. Time Counter : 314 - 366; Comments :  
There was further discussion on the amendment in Exhibit 5.}*

**Motion:** REP. JOHNSON moved that HB 13 BE AMENDED according to Exhibit 5.

**Discussion:**

*{Tape : 2; Side : B; Approx. Time Counter : 366 - Tape : 3; Side : A; Approx. Time Counter : 047}*

**Substitute Motion:** REP. KASTEN made a substitute motion to divide the amendment in question on HB 13. Divided out for a second vote would begin at the sentence beginning "for personal services contingency...."

*{Tape : 3; Side : A; Approx. Time Counter : 47 - 067}*

**Discussion:**

*{Tape : 3; Side : A; Approx. Time Counter : 67 - 109}*

**Vote:** Motion on the first portion of the amendment **carried** unanimously.

**Discussion:**

*{Tape : 3; Side : A; Approx. Time Counter : 109 - 305; Comments : On the segregated portion of the amendment.}*

**Vote:** Motion to accept line "for personal service contingency (segregated portion of the amendment **failed 2-16 by Roll Call Vote.**

**Motion:** REP. VICK moved that HB 13 BE AMENDED.**EXHIBIT**(aph55a06)  
*{Tape : 3; Side : A; Approx. Time Counter : 305 - 330}*

**Discussion:**

*{Tape : 3; Side : A; Approx. Time Counter : 330 - Side : B; Approx. Time Counter : 245}* **EXHIBIT**(aph55a07)

**Vote:** Motion carried 14-4 with Buzzas, Menahan, Quilici, and Tropila voting no.

*{Tape : 3; Side : B; Approx. Time Counter : 245 - 251; Comments: The committee recessed until 3:30 PM.}*

**HEARING ON HB 490**

**Opening Statement by Sponsor:**

Rep. Sheill Anderson, HD 25, presented HB 490. **EXHIBIT**(aph55a08)  
*{Tape : 3; Side : B; Approx. Time Counter : 251 - 339; Comments : Rep. Anderson proposed an amendment (Exhibit 8). This was a referred bill and did not require a full hearing.}*

**Questions from Committee Members and Responses:**

*{Tape : 3; Side : B; Approx. Time Counter : 339 - 431}*

**Closing by Sponsor:**

*{Tape : 3; Side : B; Approx. Time Counter : 431 - 449}*

**HEARING ON HB 608**

**Opening Statement by Sponsor:**

Rep. Roger Somerville, HD 78, presented HB 608.  
*{Tape : 4; Side : A; Approx. Time Counter : 0 - 106}*

**Proponents' Testimony:**

Sandi Olsen, Montana Association for Gifted and Talented Education (AGATE)

{Tape : 4; Side : A; Approx. Time Counter : 106 ~~EXHIBIT~~ (aph55a09)  
Wayne Buchanan, Board of Public Education  
{Tape : 4; Side : A; Approx. Time Counter : 148 - 178}

June Broughton, Student, Corvallis  
{Tape : 4; Side : A; Approx. Time Counter : 178 - 191}

Betsy Lee, Student, Corvallis  
{Tape : 4; Side : A; Approx. Time Counter : 191 - 215}

Bradley Darrington, Darcy School, Helena  
{Tape : 4; Side : A; Approx. Time Counter : 215 - 237}

Gail Gray, Office of Public Instruction (OPI)  
{Tape : 4; Side : A; Approx. Time Counter : 237 - 252}

Michael Hall, OPI EXHIBIT (aph55a10)  
{Tape : 4; Side : A; Approx. Time Counter : 252 ~~EXHIBIT~~ (aph55a11)}

Josh Bailey, Student, Corvallis  
{Tape : 4; Side : A; Approx. Time Counter : 257 - 279}

Gale Price, Student, Corvallis  
{Tape : 4; Side : A; Approx. Time Counter : 279 - 410}

Diane McCormick, Student, Corvallis  
{Tape : 4; Side : A; Approx. Time Counter : 410 - 490}

Judy Carter, Helena Teacher, Project Promise  
{Tape : 4; Side : B; Approx. Time Counter : 11 - 36}

Ruth Carlstrom, AGATE  
{Tape : 4; Side : B; Approx. Time Counter : 36 - 66}

Opponents' Testimony: None. EXHIBIT (aph55a12)

EXHIBIT (aph55a13)

Informational Testimony: None. EXHIBIT (aph55a14)

EXHIBIT (aph55a15)

Questions from Committee Members and Responses: EXHIBIT (aph55a16)

{Tape : 4; Side : B; Approx. Time Counter : 66 - ~~EXHIBIT~~ (aph55a17)}

Closing by Sponsor:

{Tape : 4; Side : B; Approx. Time Counter : 222 - 270}

EXECUTIVE ACTION ON HB 13 (CONTINUED)

Motion/Vote: REP. MENAHAN moved that HB 13 BE AMENDED. Motion carried unanimously. EXHIBIT (aph55a18)

Motion: REP. JOHNSON moved that HB 13 BE AMENDED EXHIBIT (aph55a19)

Discussion:

{Tape : 4; Side : B; Approx. Time Counter : 270 - 370}

Vote: Motion to carried unanimously.

{Tape : 4; Side : B; Approx. Time Counter : 370 - 380}

Motion: REP. JOHNSON moved that HB 13 BE AMENDED EXHIBIT (aph55a20)

Discussion:

{Tape : 4; Side : B; Approx. Time Counter : 380 - Tape : 5; Side : A; Approx. Time Counter : 251}

Vote: Motion carried 11-7 by Roll Call Vote.

{Tape : 5; Side : A; Approx. Time Counter : 251 - 282}

Motion: REP. JOHNSON moved that HB 13 BE AMENDED EXHIBIT (aph55a21)

Discussion:

{Tape : 5; Side : A; Approx. Time Counter : 282 - 495}

Vote: Motion failed 9-9 by Roll Call Vote. {Tape : 5; Side : B; Approx. Time Counter : 0 - 27; Comments : Rep. Menahan changed his vote from no to yes after the vote result was announced.}

Motion: REP. JOHNSON moved that HB 13 BE AMENDED EXHIBIT (aph55a22)

Discussion:

{Tape : 5; Side : B; Approx. Time Counter : 27 - 55}

Vote: Motion carried 17-1 with P. Bergsagel voting no.

{Tape : 5; Side : B; Approx. Time Counter : 55 - 60}

Motion: REP. MENAHAN moved that HB 13 DO PASS AS AMENDED.

Discussion:

{Tape : 5; Side : B; Approx. Time Counter : 60 - 180}

Vote: Motion carried 12-6 by Roll Call Vote.

{Tape : 5; Side : B; Approx. Time Counter : 180 - 197}

EXECUTIVE ACTION ON HB 135

Motion: REP. VICK moved that HB 135 DO PASS.

Motion: REP. VICK moved that HB 13 BE AMENDED. **EXHIBIT**(aph55a23)

Discussion:

*{Tape : 5; Side : B; Approx. Time Counter : 197 - 450}*

Vote: Motion carried 10-8 by Roll Call Vote.

*{Tape : 5; Side : B; Approx. Time Counter : 450 - 455}*

Vote: Do Pass as Amended Motion carried 14-4 by Roll Call Vote.

*{Tape : 5; Side : B; Approx. Time Counter : 455 - 490; Comments : Exhibit 24 relating to the committee's request on HB 127 was made available following the meeting and is attached .}*

**ADJOURNMENT**

Adjournment: 6:00 P.M.

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REP. TOM ZOOK, Chairman

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JOANNE GUNDERSON, Secretary

TZ/JG

**EXHIBIT** (aph55aad)